IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1331 OF 2005

Mr. Murlidhar T. Tilwani & Anr. .. Petitioners

V/s

The State of Maharashtra & Anr. .. Respondents

Shri Rishi Bhuta for petitioners

Coram : V.M. Kanade, J.
Dated : 05/05/2005.

P.C. :-

1 The petitioners have filed this petition for quashing FIR No.232 of 2003 which was filed against him by the respondent No.2. It is submitted that both parties have settled the matter out of the court and the complainant has withdrawn the criminal complaint which had filed in the trial court. However FIR has not been quashed. The respondent No.2 has also filed an affidavit in which he has stated that he does not wish to pursue the said FIR prosecuting the present petitioner. It is stated that the disputes between the parties have been resolved. In view of affidavit in reply filed by the respondent No.2 and consent of the learned counsel on instructions given by his client who is present in the court that he has no objection if the FIR is quashed the FIR lodged by the

respondent No.2 being FIR No. 232 of 2003 under sections 506(ii), 323 and 341 of the Indian Penal Code is quashed and set aside. The writ petition is allowed in above terms.

(V.M. Kanade, J.)